

Message

From: Abele, Ralph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=294B64CFD1484AF18711C8F38462A74C-ABELE, RALPH]
Sent: 8/23/2018 11:13:52 PM
To: Kimberly Groff [Kimberly.Groff@state.ma.us]
Subject: Re: Mayor Hoyer's Request to EPA for Meeting to Discuss Taunton NPDES Permitting Issues - Seeking input on DEP mtg participants and next steps

Kim

Thanks. Just got it today

Sent from my iPhone

> On Aug 23, 2018, at 5:55 PM, Groff, Kimberly (DEP) <kimberly.groff@state.ma.us> wrote:
>
> FYI, hopefully you are aware to this. Kim
>
> From: Fine, Douglas (DEP)
> Sent: Thursday, August 23, 2018 5:45 PM
> To: Groff, Kimberly (DEP); King, Susannah (DEP); Langley, Lealdon (DEP); Brown, Robert (DEP); Crocker, Karen (DEP)
> Subject: Mayor Hoyer's Request to EPA for Meeting to Discuss Taunton NPDES Permitting Issues - Seeking input on DEP mtg participants and next steps
> Importance: High
>
> Hi Kim, Susy, Lealdon, Karen and Bob,
>
> FYI, see the email from Mayor Hoyer to Alex Dunn below, and EPA's reply. Ken Moraff has asked who from DEP should participate in the mtg. Also see the attached docs.
>
> What do you think about DEP participating in the EPA mtg with the City, and using that forum to provide the update and signal outcomes for the marine DO criteria that we had offered via Marty's 8/10/18 letter?
>
> I have proposed that to Stephanie, and she checked in with Marty - both agree.
>
> Assuming none of you have show-stopping concerns, I recommend the following:
>
>
> 1) DEP provide a small team of folks to participate in the EPA-Taunton mtg. I suggest Susy (for the NPDES permitting issues), Kim (for the DO criteria and monitoring data items), and me. Lealdon could join too, unless we want to keep our numbers down. Do you think we need Bob B, or someone from OGC, since John Hall is involved?
>
> 2) After I provide Ken M. with the names of the DEP participants, I will loop back with John Hall to tell him that EPA has asked DEP to participate in the mtg that the mayor requested, and we have agreed, and that we will provide our status update at that meeting. (John called Bob Brown when I was on vacation seeking to set up the DEP-Taunton mtg that the Commissioner offered in his 8/10/18 letter [attached].)
>
> 3) Then, we will need to develop our message / script for the mtg, and run it past Stephanie (who will also check in with Marty).
>
> Thoughts?
>
> Thanks
>
> Doug
>
> Douglas Fine
> Assistant Commissioner for Water Resources
> Mass Department of Environmental Protection
> 617/292-5792
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> Visit our website: <http://mass.gov/dep>
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>
> From: Fine, Douglas (DEP)

> Sent: Thursday, August 23, 2018 3:08 PM
> To: 'Moraff, Kenneth'; Cooper, Stephanie (DEP)
> Subject: RE: Request for Meeting to Discuss Taunton NPDES Permitting Issues
>
> Hi Ken and Stephanie,
>
> Mayor Hoyer had sent a letter to Commissioner Suuberg on 8/1/18 asking about the status of our efforts to update our marine DO std, and Commissioner Suuberg sent a reply on 8/10/18 providing some initial info (including that timing of a proposed new marine DO std or criteria would not be included with our next WQS revision package) and saying that we would like to meet with representatives from the city to provide a more detailed update. (See attached.) We have since gotten a call from John Hall asking that we schedule the meeting via John.
>
> The mayor's request to meet with EPA covers status of DEP's DO standard efforts as well the other topics listed below. I need to confer with some folks here about how best to proceed with the request from EPA to participate in your meeting with the mayor and the separate request from John Hall for a mtg with DEP on the WQS.
>
> Stay tuned.
>
> Thank you,
>
> Doug
>
> Douglas Fine
> Assistant Commissioner for Water Resources
> Mass Department of Environmental Protection
> 617/292-5792
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> Subscribe for updates: <http://www.mass.gov/dep/signup>
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>
>
> From: Moraff, Kenneth [mailto:Moraff.Ken@epa.gov]
> Sent: Wednesday, August 22, 2018 7:32 AM
> To: Fine, Douglas (DEP)
> Subject: FW: Request for Meeting to Discuss Taunton NPDES Permitting Issues
>
> Doug - who should participate in this for DEP? I'm planning to be there.
>
> Ken
>
> From: Thomas C Hoyer Jr [mailto:thoyer@taunton-ma.gov]
> Sent: Tuesday, August 21, 2018 2:18 PM
> To: Dunn, Alexandra <dunn.alexandra@epa.gov>
> Cc: Moraff, Kenneth <Moraff.Ken@epa.gov>; Nick.Clemons@mail.house.gov; Gutro, Doug <Gutro.Doug@epa.gov>; Melanson, Kate <Melanson.Kate@epa.gov>; Dan De Abreu <ddeabreu@taunton-ma.gov>
> Subject: RE: Request for Meeting to Discuss Taunton NPDES Permitting Issues
>
> Thank you Ms. Dunn. I look forward to meeting with you all.
>
> From: Dunn, Alexandra [mailto:dunn.alexandra@epa.gov]
> Sent: Tuesday, August 21, 2018 2:13 PM
> To: Thomas C Hoyer Jr
> Cc: Moraff, Kenneth; Nick.Clemons@mail.house.gov<mailto:Nick.Clemons@mail.house.gov>; Gutro, Doug; Melanson, Kate
> Subject: RE: Request for Meeting to Discuss Taunton NPDES Permitting Issues
>
> Dear Mayor Hoyer,
>
> Thank you so much for reaching out to me. I appreciate your patience while we evaluated the elements of your request below. We agree that a meeting would be productive at this time to discuss the City's permit modification request. Given the technical nature of this meeting, the Director of our Office of Ecosystem Protection (air and water regulation), Ken Moraff, will be in touch with you to schedule a meeting with our permitting team and relevant Massachusetts DEP staff at a mutually convenient time.
>
> Best regards,
>
>
> Alexandra Dapolito Dunn, J.D.
> Regional Administrator
>
> Region 1 New England
> 5 Post Office Sq. Suite 100
> Mail Code: ORA01-4
> Boston, MA 02109-3912
>

> Desk: (617) 918-1012
 > Mobile: (857) 291-4405
 > Fax: (617) 918-0012
 > dunn.alexandra@epa.gov<mailto:dunn.alexandra@epa.gov>
 >
 >
 > From: Thomas C Hoyer Jr [mailto:thoyer@taunton-ma.gov]
 > Sent: Friday, August 3, 2018 11:38 AM
 > To: Dunn, Alexandra <dunn.alexandra@epa.gov<mailto:dunn.alexandra@epa.gov>>
 > Cc: Moraff, Kenneth <Moraff.Ken@epa.gov<mailto:Moraff.Ken@epa.gov>>;
 Nick.Clemons@mail.house.gov<mailto:Nick.Clemons@mail.house.gov>
 > Subject: Request for Meeting to Discuss Taunton NPDES Permitting Issues
 >
 > Dear Regional Administrator Dunn:
 > As you are aware, on July 9, 2018, the 1st Circuit issued its opinion upholding EPA's 2015 permit action for the City of Taunton. The Court's decision, importantly, did not consider or rule upon any of the new information that the City wanted EPA and the Court to consider. All that information – which forms the basis of the City's permit modification request (to be supplemented by the ongoing monitoring program the City is funding through SMAST) – was excluded from the record as not available to EPA at the time the decision was rendered. Therefore, it appears that the ongoing litigation concerns expressed in response to the City's March 5, 2018 meeting request to discuss the permit modification request are no longer an issue.
 > Given these events and the ongoing monitoring programs that have confirmed significant water quality improvements throughout the estuary, the City would like to meet with you to discuss:
 >
 > 1. The scope and status of new information that has become available since EPA rendered its decision in 2013 (including more accurate hydrodynamic modeling results using new estuary TN loading estimates from the Narragansett Bay Estuary Program report);
 > 2. The MassDEP's efforts to update the dissolved oxygen standards for the Taunton Estuary and Mount Hope Bay;
 > 3. The status of the City's Taunton Estuary sampling program being conducted by Dr. Brian Howes from SMAST and how that information could affect EPA's prior decision; and
 > 4. Alteration of the schedule of compliance on facility design in consideration of the new information.
 >
 > Thank you for your consideration of this request and the scheduling of a meeting at your earliest convenience.
 > Sincerely,
 >
 > Thomas C. Hoyer Jr
 > Mayor
 > City of Taunton
 > 508 821-1000
 > thoyer@taunton-ma.gov<mailto:thoyer@taunton-ma.gov>
 >
 >
 >
 >
 > cc. Congressman Joseph P. Kennedy
 > Ken Moraff
 >
 >
 > <Ltr from Mayor Hoyer to MS re DO WQS 08-01-18.pdf>
 > <DEP - R. Carey PPT on Taunton Monitoring and DO Std.pdf>
 > <PDF of Ltr to Mayor Hoyer 08-10-18.pdf>